



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/431,008	11/01/1999	JEFFREY H. BURBANK	17742-000630

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

FORMALITIES LETTER



OC000000005702830

Date Mailed: 01/24/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below **and a newly executed oath or declaration covering the items must be** submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(i)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.
A complete specification including at least one claim as prescribed by 35 U.S.C. 112 is required.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above. The items noted below must be filed no later than TWO MONTHS FROM THE FILING DATE ACCORDED THIS APPLICATION.

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

09/26/2001 BNGUYEN1 00000020 201430 09431008

01 FC:101 760.00 CH

- The balance due by applicant is \$ 690.00.

Adjustment date: 09/26/2001 BNGUYEN1
03/05/2001 CV0111 00000120 201430 09431008
01 FC:101 710.00 CH

*A copy of this notice **MUST** be returned with the reply.*

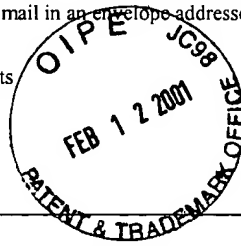
03/05/2001 CV0111 00000120 201430 09431008

01 FC:101 710.00 CH
02 FC:105 130.00 CH

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Attn: Box DAC
Washington, D.C. 20231

PATENT
Attorney Docket No.: 17742-000630
Client Reference No.: 64-US



On Feb. 7, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Kimberly Badiei
Kimberly Badiei

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JEFFREY H. BURBANK et al.

Application No.: 09/431,008

Filed: November 1, 1999

For: VALVE PORT AND METHOD
FOR VASCULAR ACCESS

Examiner: Unassigned

Art Unit: Unassigned

TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS

Attn: Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice of Incomplete Non-Provisional Application dated January 24, 2001, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration
- 2) Power of Attorney by Assignee
- 3) Copy of Notice of Incomplete Nonprovisional Application

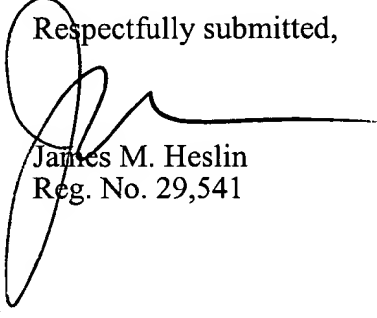
Please charge Deposit Account No. 20-1430 for the following fees:

Large Entity:	(a) Filing Fee (§ 1.16(a)) (Large Entity)	\$710.00
	(b) Excess Claims Fees (§ 1.16(b), (c)):	

11 - 20 = 0	x \$18.00 =	\$0.00
2 - 3 = 0	x \$80.00 =	\$0.00
(c) Missing Parts Surcharge		\$130.00
TOTAL FEES TO BE CHARGED		\$840.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in duplicate.

Respectfully submitted,


James M. Heslin
Reg. No. 29,541

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415 576-0300
JMH:lmc

0360

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 17742-000630
Client Reference No.: 64-US

Assistant Commissioner for Patents
Attn: Box DAC
Washington, D.C. 20231 on February 7, 2001

RECEIVED

JUN 11 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

TOWNSEND and TOWNSEND and CREW LLP

By: Kim Badiel
Kimberly Badiel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JEFFREY H. BURBANK et al.

Application No.: 09/431,008

Filed: November 1, 1999

For: VALVE PORT AND METHOD
FOR VASCULAR ACCESS

Examiner: Unassigned.

Art Unit: Unassigned

REQUEST TO SET ASIDE NOTICE OF
INCOMPLETE NONPROVISIONAL
APPLICATION

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 11 2001	
FBI - NEW YORK	

Attn: Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Nonprovisional Application mailed on January 24, 2001, Applicants respectfully submit that a complete specification including at least one claim as prescribed by 35 U.S.C. §112 was properly submitted in the application at the time of filing on November 1, 1999. As proof that the application was properly filed, Applicants attach a complete copy of the prosecution history which was obtained on or about August 7, 2000. The complete copy shows that the application included 15 pages with pages 13 and 14 including claims 1-11.

While the application was filed without fees and without a signed Declaration, it was nonetheless a complete application in other respects and entitled to a filing date of November 1, 1999.

Together with this Petition, Applicants are submitting a Submission of Missing Parts which includes both the filing fee and a signed Declaration of the inventors. Thus, it is

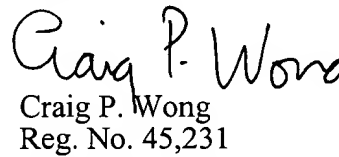


now believed that the application is complete and it is requested that normal prosecution be commenced.

Applicant does not believe that any fee is necessary since the Notice was mailed in error by the Patent Office. If any fee is required, the Patent Office is authorized to charge deposit account no. 20-1430.

If there are any questions concerning this application, telephone calls can be made to the undersigned at 650-617-9112.

Respectfully submitted,



Craig P. Wong
Reg. No. 45,231
for James M. Heslin
Reg. No. 26, 541

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
JMH:lmc:kab
PA 3125933 v1